

August 11, 1966

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Edward J. Logue, Development Administrator
SUBJECT: Zoning Referrals - Map Application No. 33

I should like to withdraw the comments on Map Amendment Application No. 33 concerning The Lynn Corporation proposal.

This site, under the 1975 Plan, is part of the Open Space Program and should be developed for that purpose.

The staff is preparing an open space study and looking to recommendations for using federal open space acquisition funds to acquire this and other sites.

I would recommend that the Map Amendment Application be opposed. In any event, I want to withdraw the recommendation first submitted on July 21.

August 11, 1966

MEMORANDUM

TO: Boston Redevelopment Authority

FROM: Edward J. Logue, Development Administrator

SUBJECT: Zoning Referrals - Z-582

By a strict interpretation of the ordinance of the Zoning Code we are recommending that a conditional permit to corral two horses in West Roxbury be denied.

I have checked into this further and I find that the problem is that the stable is only 35 feet from the nearest residential building on another lot, and the horses apparently do break loose from time to time.

However, it seems a shame to deny the children of West Roxbury some horses as neighbors, and I would hope that this could be adjusted satisfactorily.

August 11, 1955

MEMORANDUM

TO: Boston Redevelopment Authority

FROM: Edward J. Logue, Development Administrator

SUBJECT: Zoning Referrals

I. ZONING COMMISSION - TABLED ITEM.

Re: Map Amendment Application No. 33
The Lynn Corporation by
Thomas Wheeler, President
1700 River Street, Hyde Park

Petitioner seeks to change mill pond area of approximately 12 acres, bounded by River Street, Readville Street and Knight Street, immediately southeast of Kelly Field in Readville, Hyde Park, from single and two-family zones to a general business zone for the purpose of building a shopping center, containing a supermarket, department stores, etc. Area is being filled in and it is planned to install a culvert at petitioner's expense. Area is adjacent to a manufacturing zone now containing Westinghouse Electric and a wool warehouse. Petitioner claims area is not an attractive location for housing because of adjacent manufacturing and also because it is not economically feasible for residential use because of cost of improving the land - fill, \$100,000 and culvert, \$100,000. Nearest shopping centers, one being constructed at corner of Washington Street and V.F.W. Highway in Dedham, Washington Street at Stony Brook in West Roxbury, American Legion Highway, are two to three miles away. It appears to be a good location for a shopping center. Planning Division recommends disapproval only because general land use plan shows area to be developed as part of open space system linking the Stony Brook Reservation with Mother Brook and the Neponset River. However, there is no further documentation on this in the General Plan Report. There is no over-all plan showing the laying out of Mother Brook as a park area. It is merely a possibility that may never be carried out and indeed the addition of 12 more acres to the 860 Stony Brook and G. Wright Golf Course Reservation is questionable.

VOTED: That in connection with Map Amendment Application No. 33 brought by the Lynn Corporation concerning property at 1700 River Street, Hyde Park, to change mill pond area of approximately 12 acres, bounded by River Street, Readville Street and Knight Street in Readville from a single family and two-family zone to a general business zone, for the purpose of building a shopping center, the Boston Redevelopment Authority is of the opinion that a general business use, such as a shopping center is an appropriate use for this large tract of land which will require costly improvements such as filling and construction of

a large culvert, before it can be placed in use. Because of its close proximity to manufacturing uses, it does not appear to be an attractive location for residential development and further, in addition to the unusual land improvements, the obvious economics of modern costs of residential construction and financing, make it very improbable that this property will be developed for residential purposes. The land is desirable for business use and there is an increasing need for large tracts of land for this type of development, not only to replace business and light manufacturing zoned areas that have been recently taken out of use for apartment and other construction but also to replace sites that will be eliminated by pending expressway construction.

II. BOARD OF APPEAL REFERRALS

Re: Petition No. Z-567
Frances Realty Trust
6 Glenville Terrace, Brighton

A forbidden use and variance of off-street parking not supplied are sought to change occupancy from garage to manufacturing of clothing, storage and office in a general business (B-1) district. Physical inspection reveals the building is vacant. Eight parking spaces are required and none provided. Transportation-Engineering Department is opposed because the lack of parking facilities for a manufacturing enterprise in busy surroundings (Harvard and Commonwealth Avenues) would nullify the intent and purpose of the code. Recommend denial.

VOTED: That in connection with Petition No. Z-567 brought by Frances Realty Trust, 6 Glenville Terrace, Brighton, for a forbidden use and variance of off-street parking not supplied in a general business district, the Boston Redevelopment Authority is opposed to the granting of the variances. The Authority is not opposed to the use but feels that the lack of parking facilities in this highly congested area, (intersection of Harvard and Commonwealth Avenues) would intensify the already grave traffic problem.

Re: Petition No. Z-568
Chester E. Perry
49 Clifford St., Roxbury

Seven variances are sought to legalize occupancy as a three-family dwelling in a residential (R-.8) district. Appellant states the dwelling was purchased as a three-family and has been used as such for many years and had no knowledge of illegal occupancy. Transportation-Engineering Department anticipates no traffic problems and approval is recommended.

VOTED: That in connection with Petition No. Z-568 brought by Chester E. Perry, 49 Clifford Street, Roxbury for seven variances to legalize occupancy as a three-family dwelling in a residential district, the Boston Redevelopment Authority has no objection to the granting of the variances. The use which has apparently been in existence for many years, will not adversely affect the general character of the neighborhood.

Re: Petition No. Z-569
Hamilton Wyche
88 Mt. Pleasant Avenue, Roxbury

Three variances, excessive floor area ratio, front yard and lot area per additional dwelling unit less than required, are sought to change occupancy from one to two families in an apartment (H-1) district. The building, one of ten three story brick row structures, is in need of rehabilitation. The exterior would also be pointed and painted. The proposed use will neither be detrimental to nor adversely affect the neighborhood and approval is recommended.

VOTED: That in connection with Petition No. Z-569 brought by Hamilton Wyche, 88 Mt. Pleasant Avenue, Roxbury for variances to change occupancy from one to two families in an apartment district, the Boston Redevelopment Authority has no objection to the granting of the variances. The building will be rehabilitated, become an asset to the area and provide an apartment for which there is a demand.

Re: Petition No. Z-570
Gulf Oil Corporation
358 Cambridge St., Boston

A conditional use permit and variance of rear yard less than required are sought to erect a gasoline service station in an apartment (H-2-65) district. The use has existed at the locus for the past twenty years. The new building will replace an outmoded facility. The property will be improved and will add to the general appearance of the neighborhood. Recommend approval

Optional Case

VOTED: That in connection with Petition No. Z-570 brought by Gulf Oil Corporation, 358 Cambridge Street, Boston, for a conditional use permit and variance of rear yard less than required to erect a gasoline service station in an apartment district, the Boston Redevelopment Authority has no objection to the granting of the variances. The new station will replace an outmoded facility and will be an improvement to the neighborhood in general.

Re: Petition No. Z-571
Anthony Saia
171-175 Clare Ave., Hyde Park

Seven variances, including a forbidden use, are sought to erect a three story, 32 unit apartment building in a single family (S-.5) district. The proposed building will contain 26,300 sq. ft. of floor space on a lot of 30,000 square feet. The lot would be severely overcrowded when it can normally support only seven dwelling units. The proposal appears to be an unreasonable attempt to erect a building much too large for the area of land available for construction and beyond the allowable limits of the code. Physical inspection reveals a corrugated box company directly opposite the site and two multi-family apartment dwellings on Clare Avenue in the adjoining area. Transportation-Engineering Department anticipates no traffic problems. However, the zoning staff feels a well considered zoning change would be more appropriate and that the variances should not be allowed.

VOTED: That in connection with Petition No. Z-571 brought by Anthony Saia, 171-175 Clare Avenue, Hyde Park, for seven variances, including a forbidden use, to erect a three-story, 32 unit apartment building in a single family district, the Boston Redevelopment Authority opposes the granting of the variances. The proposed use will contain 26,300 square feet of floor space on a lot of 30,000 square feet and normally supporting only seven dwelling units. Lack of light and air and overcrowding are two fundamentals of zoning being violated. This is a case of new construction where there is no practical difficulty or hardship involved. None of the conditions set forth in the code are present on the land that would deprive the appellant of reasonable use. Because of the commercial use directly opposite the site and the multi-family dwellings in the adjoining area, it is felt a well considered zoning change would be much more appropriate.

Re: Petition No. Z-572
S. Anthony Realty, Inc.
46 Adams Street, Dorchester

A side yard less than required variance is sought to relocate a three-story and basement, 32 unit apartment building under construction in a residential R-.8) district. The third story is in place and roof started. Permit was issued in December 1964 under previous code which allowed a six foot side yard. The requirement is now ten feet and the deficiencies are three and four feet. Approval is recommended as these are minimal.

Optional Case

VOTED: That in connection with Petition No. Z-572 brought by S. Anthony Realty, Inc., 46 Adams Street, Dorchester, for variance of side yards less than required, to relocate a 32 unit apartment building in a residential district, the Boston Redevelopment Authority has no objection to the granting of the variances. Construction is in progress, the deficiencies are minimal and will have no adverse affect on the neighborhood.

Re: Petition No. Z-573
Fisher Junior College
108 Beacon Street, Boston

Front yard insufficient variances are sought to erect a one-story addition in an apartment (H-5) district. The extension will be constructed in the rear of the lot and be used for the serving of food to students. The Back Bay project staff is not opposed to the addition and approval is recommended.
Optional Case

VOTED: That in connection with Petition No. Z-573 brought by Fisher Junior College, 108 Beacon Street, Boston, for front yard variances to erect a one-story addition in an apartment district, the Boston Redevelopment Authority has no objection to the granting of the variances. The proposed use will not detract from the character of the neighborhood and will provide a more sufficient service for the student body.

Re: Petition No. Z-574
Francis M. Koughan
39 Manning Street, Roslindale

Front yard less than required is sought to erect a one-family dwelling in a single family (S-.5) district. A twenty-five foot front yard is required and twenty feet is provided. Other houses on the street are non-conforming in this respect. All further requirements of the code have been met and approval is recommended.
Optional Case

VOTED: That in connection with Petition No. Z-574 brought by Francis M. Koughan, 39 Manning Street, Roslindale for a front yard less than required variance to erect a one-family dwelling in a single family district, the Boston Redevelopment Authority has no objection to the granting of the variance, as it will not be detrimental to the neighborhood and all other requirements have been complied with.

Re: Petition No. Z-575
Roman Catholic Archbishop of Boston
12 Arlington Street, Boston

A forbidden use and variance of parking not sufficient are sought to change occupancy from institutional use to professional offices in an apartment (H-5) district. The appellant intends to sell the premises to a management consultant firm which will use the proposed offices for professional consultant services. The Back Bay project staff has no objection to the variance provided the new occupant demonstrates that the required 20 parking spaces are available for its exclusive use as long as this building remains as is with no major alterations and is primarily for single occupancy. The Transportation-Engineering Department concurs with the Back Bay project staff and adds that the parking spaces must be within reasonable walking distance and may be located in a commercial facility. Approval is recommended on the condition that the foregoing is observed.

VOTED: That in connection with Petition No. Z-575 brought by the Roman Catholic Archbishop of Boston, 12 Arlington Street, Boston, for a forbidden use and variance of parking requirement not sufficient, to change occupancy from institutional to professional offices in an apartment district, the Boston Redevelopment Authority has no objection to the granting of the variances provided the required parking spaces are available for their exclusive use and be within reasonable walking distance.

Re: Petition No. Z-576
R. W. Realty Trust
9A Monastery Road, Brighton

Variance for lot area per additional unit less than required is sought to change occupancy from one to two families in a residential (R-.5) district. The lot is one of three substandard lots located in the rear of lots on

Monastery Road. Eight thousand square feet is required for a two-family dwelling and only 5347 square feet are provided. In addition, the existing fifteen foot passageway from Monastery Road to this lot does not meet present code requirement. Recommend denial. Optional Case

VOTED: That in connection with Petition No. Z-576 brought by R.W. Realty Trust, 9A Monastery Road, Brighton for variance of lot area per additional unit less than required to change occupancy from one to two families in a residential district, the Boston Redevelopment Authority is opposed to the petition because it is damaging to the neighborhood, to the public welfare and a violation of the intent of the code to add to the substandardness of an area by permitting additional deficiencies. The fifteen foot passageway from Monastery Road does not meet present code requirement for access.

Re: Petition No. Z-578
Cote Motor Company
820 Cummins Highway, Mattapan

Extension of a non-conforming use to erect a one-story addition to an auto sales and service garage is sought in a local business (L-.5) district. The proposed extension which will be utilized as office space, meets all of the dimensional requirements of the code. Recommend approval.

VOTED: That in connection with Petition No. Z-578 brought by Cote Motor Company, 820 Cummins Highway, Mattapan, for extension of a non-conforming use to erect a one-story addition to an auto sales and service garage in a local business district, the Boston Redevelopment Authority has no objection to the granting of the variance. All of the dimensional requirements of the code have been met and the addition is a normal expansion which will not be detrimental to the area.

Re: Petition No. Z-579
E. L. Wolfe
20 Radcliffe Road, Brighton

Two variances, excessive floor area ratio and usable open space less than required, are sought to erect a three-story and basement 48 unit apartment building in a residential (R-.3) district. Inspection reveals the building, as planned, would abut two-family dwellings on Greylock Road. The zoning staff is not opposed to the use as the lot, which is at the end of a dead end street, is on the dividing line of an apartment (H-1) district. It is felt that the requirements of the code could be more easily met by a reduction in the number of proposed apartments. Recommend variances be denied.

VOTED: That in connection with Petition No. Z-579 brought by E. L. Wolfe, 20 Radcliffe Road, Brighton, for variances of excessive floor area ratio and usable open space less than required, to erect a three-story and basement 48 unit apartment building in a residential district, the Boston Redevelopment Authority is opposed to the granting of the variances. The Authority is not opposed to the use but feels the requirements of the code could be more easily met by a reduction in the number of proposed apartments.

Re: Petition No. Z-580
Arthur Hurwitz
1642 Commonwealth Ave., Allston

Extension of a non-conforming use is sought to enclose two existing stone porches in an apartment (H-1) district. The present occupancy is a funeral home and one family. The petitioner proposes to add two rooms, front and side, to the funeral home. All other requirements of the code are complied with. Recommend no objection.

VOTED: That in connection with Petition No. Z-580 brought by Arthur Hurwitz, 1642 Commonwealth Avenue, Allston, for extension of a non-conforming use to enclose two existing stone porches in an apartment (H-1) district, the Boston Redevelopment Authority has no objection to the granting of the variance as the continued use will not adversely affect the area and the petitioner has complied with all other requirements of the code.

Re: Petition No. Z-581
Standard Uniform Rental Services
26 Clayton St., Dorchester

Front and rear yards less than required and off-street parking facilities not provided are sought to erect a one-story concrete block addition to a laundry in a light manufacturing (M-1) district. The extension would replace a metal delivery shed destroyed by fire. Fourteen off-street parking spaces are required and none are provided. Transportation-Engineering Department reports opposition as curb parking on both sides of street seriously impedes traffic movement. Recommend denial. Optional Case

VOTED: That in connection with Petition No. Z-581 brought by Standard Uniform Retail Services, 26 Clayton Street, Dorchester, for three variances to erect a one-story addition to a laundry in a light manufacturing district, the Boston Redevelopment Authority is opposed to the granting of the variances. Fourteen off-street parking spaces are required by the code and none provided. Curb parking on both sides of Clayton Street already seriously impedes traffic and it is felt some relief should be provided to lessen congestion in the streets.

Re: Petition No. Z-582
David C. Vance
39 Freeman Ave., West Roxbury

A conditional permit to corral two horses is sought in a single family (S-.5) district. The appellant keeps the horses at the rear of his property. The area is one of well-maintained homes. Section 8-7, Item #75 of the code states: "provided that every stable and enclosure is at least 100 feet from every residential building on another lot." The animals are not kept the required distance from #35 Freeman Avenue. Recommend denial. Optional Case

VOTED: That in connection with Petition No. Z-582 brought by David C. Vance, 39 Freeman Ave., West Roxbury, for a conditional permit to corral two horses in a single family district, the Boston Redevelopment Authority is opposed to the granting of the permit. The area is one of well-maintained homes. Attention is brought to Section 8-7, Item #75 of the code which states: "Provided that every stable and enclosure is at least 100 feet

from every residential building on another lot." These animals are not kept the required distance from the nearest residence, #35 Freeman Avenue.

Re: Petition No. Z-583
J.J. Schneider & L.T. Delaney
502 Cambridge St., Brighton

Six variances are sought to erect a three-story and basement, 31 unit apartment building in a local business (L-1) and a Residential (R-.8) district. The variances consist of lot area per additional unit, front yard and usable open space less than required, excessive floor area ratio and off-street parking less than required and not allowed in a residential district. Inspection shows the immediate area to be apartment oriented. The use would be accepted if the number of proposed apartments were reduced. Transportation-Engineering Department is opposed. They report not more than 23 of the parking spaces shown on the plan seem to be possible; 28 are required. Recommend denial of the variances.

VOTED: That in connection with Petition No. Z-583 brought by J. J. Schneider & L. T. Delaney, 502 Cambridge Street, Brighton, for six variances to erect a three-story and basement 31 unit apartment building in a local business and a residential district, the Boston Redevelopment Authority is opposed to the granting of the variances. It appears not more than 23 of the parking spaces shown on the plan seem possible. If the number of proposed apartments were reduced, the appellant would more likely comply with the requirements of the code.

Re: Petition No. Z-584
Edward Younis
41 Vershire Street, West Roxbury

A forbidden use and variance of lot area per additional unit less than required are sought to change occupancy from two to three families in a single (S-.5) district. Present one-story building was built as a two-family in pre-code two-family zone. One end of building is on a steep slope and a basement wall full length door was constructed at this end. Petitioner requests variances to convert basement into small apartment for his serviceman son's family. It does not appear the proposed use will be damaging to the neighborhood and approval is recommended.

Optional Case

VOTED: That in connection with Petition No. Z-584 brought by Edward Younis, 41 Vershire Street, West Roxbury, for forbidden use and variance of lot area per additional unit less than required to change occupancy from two to three families in a single family district, the Boston Redevelopment Authority has no objection to the granting of the variances. Present one-story building was built as two-family in pre-code two-family zone. It does not appear the proposed use will be damaging to the neighborhood.

Re: Petition No. Z-585
Boston University
70 East Concord Street, Boston

Three variances, front yard setback and off-street parking insufficient are sought to erect an eleven story classroom and laboratory building in an apartment (H-3) district. The South End Project Director states that the project team is in the process of preparing, with the cooperation of Boston University, a final study of the medical complex. Recommend no report be submitted.

Re: Petition No. Z-586
Cote Motor Company
815 Cummins Highway, Mattapan

A forbidden use and two variances, front yard less than required and off-street parking not supplied are sought to erect a one-story garage and showroom in a local business (L-5) district. The locus is directly opposite an existing showroom and garage owned by the appellant. It is proposed to enclose present sales and parking lot by erecting masonry walls on top of existing concrete foundation. Thirty-two off-street parking spaces are required and none supplied. The appellant states there would be adequate parking in the proposed building or across the street. However, the plan does not show where these spaces will be located. Transportation-Engineering Department is opposed and denial of the variances is recommended.

Optional Case

VOTED: That in connection with Petition No. Z-586 brought by Cote Motor Company, 815 Cummins Highway, Mattapan, for a forbidden use and two variances to erect a one-story garage and showroom in a local business (L-5) district, the Boston Redevelopment Authority is opposed to the granting of the variances. Thirty-two off-street parking spaces are

required by the code and none supplied. The appellant states there will be adequate parking but has not indicated on the plan submitted, where the spaces will be located.

Re: Petition No. Z-587
Hahnemann Hospital
1515 Commonwealth Avenue, Brighton

Variances of off-street parking not permitted in front yard and front yard less than required are sought to erect two one-story additions in a residential (R-.5) district. The proposed extensions will provide additional beds, a first aid unit for community needs, a recovery room and administrative space. The Transportation-Engineering Department anticipates no traffic problem. Recommend approval. Optional Case

VOTED: That in connection with Petition No. Z-587 brought by Hahnemann Hospital, 1515 Commonwealth Avenue, Brighton, to erect two one-story additions in a residential district, the Boston Redevelopment Authority has no objection to the granting of the variances. The additions will provide facilities beneficial to the health and welfare of the community.

Re: Petition No. Z-588
Gerald Caico
137 Brooks Street, Brighton

A forbidden use and variance of lot area per additional dwelling unit less than required are sought to change occupancy from two to three families in a residential (R-.5) district. The lot practically abuts the dividing line of the higher density residential zone (R-.8). The immediate area contains many three-family dwellings. The appellant states he has spent a substantial amount of money toward the repair and maintenance of the premises. Approval is recommended. Optional Case

VOTED: That in connection with Petition No. Z-588 brought by Gerlad Caico, 137 Brooks Street, Brighton, for a forbidden use and variance of lot area per additional dwelling unit less than required, to change occupancy from two to three families in a residential district,

Zoning Referrals

8/11/66

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the Boston Redevelopment Authority has no objection to the granting of the variances. The lot practically abuts the dividing line of the higher R-.8 zone. The immediate area contains many three-family dwellings and the appellant has spent a substantial amount of money toward the repair and maintenance of his property.